

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DANIEL FORD,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 5:23-cv-00019-MTT-CHW
	:	
Warden TRACY JEFFERSON, et al.,	:	Proceedings Under 42 U.S.C. § 1983
	:	Before the U.S. Magistrate Judge
Defendants.	:	
	:	

ORDER

Pending before the Court is Defendants’ motion for judgment on the pleadings, citing Plaintiff’s alleged failure to exhaust his administrative remedies. (Doc. 42). Contemporaneous to his response to the motion (Doc. 47), Plaintiff filed a document entitled “supplemental claim” (Doc. 46), wherein he seeks to add “Central State Prison Counselor Hudgins” to this Section 1983 action for failing to record his grievances. The Court interprets this document as a motion to amend Plaintiff’s complaint. Plaintiff’s attempt to supplement or amend his complaint is improper because a prison’s grievance procedure “does not provide an inmate with a constitutionally protected interest.” *Bingham v. Thomas*, 654 F.3d 1171, 1177 (11th Cir. 2011). Moreover, “[t]he failure of a State to adopt or adhere to an administrative grievance procedure shall not constitute the basis for an action.” 42 U.S.C. § 1997e(b). Because a failure to file a grievance does not in and of itself give rise to a Section 1983 claim, Plaintiff’s attempt to amend his complaint to add a claim against Counselor Hudgins (Doc. 46) is **DENIED**.

SO ORDERED, this 28th day of September, 2023.

s/ Charles H. Weigle _____
Charles H. Weigle
United States Magistrate Judge